

DANIEL J. BRODERICK, Bar #89424  
Federal Defender  
DAVID M. PORTER, Bar #127024  
Assistant Federal Defender  
801 I Street, 3rd Floor  
Sacramento, California 95814  
Telephone: (916) 498-5700

Attorney for Petitioners  
ALONZO DEON JOHNSON and DARRYL THOMPSON

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALONZO DEON JOHNSON,	)	No. Civ. S 03-2063 JAM JFM P
	)	
Petitioner,	)	<b>ORDER</b>
	)	
v.	)	
	)	
CLAUDE E. FINN, Warden,	)	
	)	
Respondent.	)	
	)	
	)	

DARRYL THOMPSON, ) No. Civ. S 04-2208 JAM JFM P  
Petitioner, )  
v. ) **ORDER**  
TOM L. CAREY, Warden, )  
Respondent. )

**O R D E R**

Pursuant to the decision of the Ninth Circuit Court of Appeals,  
*Johnson v. Finn*, 665 F.3d 1063 (2011), petitioners' application, and  
good cause appearing therefor, the Court:

(1) **VACATES** the orders denying the petitions for writ of habeas

1 corpus filed March 23, 2009, and the judgments entered the same day;\*

2 (2) **ADOPTS** in full the magistrate judge's findings and  
3 recommendations filed August 19, 2009;

4 (3) **GRANTS** the petitions for a writ of habeas corpus based on  
5 petitioners' claims under *Batson v. Kentucky*, 476 U.S. 79 (1986), with  
6 respect to prospective juror W.J.; and,

7 (4) **DIRECTS** the State to vacate petitioners' convictions and  
8 respondents to release petitioners from custody unless proceedings in  
9 the state court leading to retrial are commenced within sixty days  
10 from the date of this order.

11 DATED: September 5, 2012

12 /s/ John A. Mendez

13 Honorable JOHN A. MENDEZ  
United States District Court Judge

27 \_\_\_\_\_  
28 \* The Court also **VACATES** the previous orders -- CR #80 in *Johnson*  
*v. Finn* and CR #63 in *Thomas v. Carey* -- that were entered in error.